

E-FILED on 9/6/12

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JACQUELINE CARLIN MELCHER,

Appellant,

v.

JOHN W. RICHARDSON, Trustee in
Bankruptcy,

Appellee.

No. 11-cv-01616 RMW

ORDER DISMISSING CASE FOR FAILURE
TO PROSECUTE

On September 20, 2011, this court issued an order to show cause why this case should not be dismissed for failure to prosecute, indicating that Jacqueline Melcher had commenced the action on March 18, 2011 but had not yet designated the record on appeal. *See* Dkt. No. 8. On October 21, 2011, the court ordered Ms. Melcher to file an adequate designation of the record by November 4, 2011 or face dismissal of her appeal. On October 29, 2011, Ms. Melcher asked the court to extend that deadline to December 1, 2011 because of other deadlines set by the bankruptcy court. The court extended the deadline to December 1, 2011, but stated that it would not entertain any further requests for extensions or additional time by Ms. Melcher. As more than nine months have passed and Ms. Melcher has still failed to designate a record, the court dismisses this action for failure to prosecute. The clerk shall close the file.

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: 9/6/12



RONALD M. WHYTE
United States District Judge